

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Li-How Chen et al.
Serial No.: 09/175,683
Confirmation No.: 7184
Filed: October 20, 1998
For: NOVEL MODIFIED NUCLEIC ACID SEQUENCES AND
METHODS FOR INCREASING MRNA LEVELS AND
PROTEIN EXPRESSION IN CELL SYSTEMS
Examiner: R. A. Schnizer
Art Unit: 1635

MAIL STOP 313(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on any attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant would like to bring to the Examiner's attention the following other information:

Office Communication mailed 10/18/2006 for Application No. 10/949,975 (G0744.70037US03)
Amendment filed in Response on 6/8/2007 for Application No. 10/949,975 (G0744.70037US03)
Office Communication mailed 7/26/2007 for Application No. 10/949,975 (G0744.70037US03)
Office Communication mailed 6/20/2000 for Application No. 09/175,684 (G0744.70031US02)
Amendment filed in Response on 12/20/2000 for Application No. 09/175,684 (G0744.70031US02)
Office Communication mailed 3/14/2001 for Application No. 09/175,684 (G0744.70031US02)
Amendment filed in Response on 8/14/2001 for Application No. 09/175,684 (G0744.70031US02)
Notice of Allowance with Interview Summary and Examiner's Amendment mailed 11/19/2001 for Application No. 09/175,684 (G0744.70031US02)
Interview Summary mailed 1/23/2002 for Application No. 09/175,684 (G0744.70031US02)
Notice of Allowance with Interview Summary and Examiner's Amendment mailed 11/13/2002 for Application No. 09/175,684 (G0744.70031US02)
Office Communication mailed 3/10/2004 for Application No. 10/082,018 (G0744.70031US03)
Amendment filed in Response on 9/10/2004 for Application No. 10/082,018 (G0744.70031US03)
Office Communication mailed 11/29/2004 for Application No. 10/082,018 (G0744.70031US03)
Amendment filed in Response on 5/27/2005 for Application No. 10/082,018 (G0744.70031US03)
Office Communication mailed 8/9/2005 for Application No. 10/082,018 (G0744.70031US03)
Amendment filed in Response on 1/30/2006 for Application No. 10/082,018 (G0744.70031US03)
Notice of Allowability and Examiner's Amendment mailed 4/25/2006 for Application No. 10/082,018 (G0744.70031US03)
Office Communication mailed 11/18/2005 for Application No. 11/140,676 (G0744.70031US04)
Amendment filed in Response on 11/29/2005 for Application No. 11/140,676 (G0744.70031US04)
Office Communication mailed 5/3/2007 for Application No. 11/140,676 (G0744.70031US04)
Amendment filed in Response on 8/3/2007 for Application No. 11/140,676 (G0744.70031US04)

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. Any enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

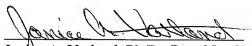
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By:



Janice A. Vatland, Ph.D., Reg. No. 52,318
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No. G0744.70037US02

Date: September 12, 2007

xNDDx

1244001.1